



5. The Defendant West American Rubber Company, LLC's claims against GT Sales & Manufacturing, Inc.'s are dismissed with prejudice;
6. The parties shall pay their own costs and attorneys' fees;
7. The case shall proceed as to the Plaintiff American Concrete Products Co.'s claims against Defendant West American Rubber Company, LLC; and
8. The Clerk of the Court is directed to amend the caption in this case by terminating GT Sales & Manufacturing, Inc., as a party.

DATED this 24<sup>th</sup> day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge